



Attorney Docket No. 249.P1C2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark W. Becker et al.

Serial No.: 10/798,692

Group No.: 1657

Filed: March 11, 2004

Examiner: Kailash C. Srivastava

For: PRODRUGS OF PHOSPHONATE NUCLEOTIDE ANALOGUES

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE
MAILING DATE OF EITHER A FINAL ACTION OR NOTICE
OF ALLOWANCE (37 CFR 1.97 (c))**

**TIME TRANSMITTAL OF ACCOMPANYING INFORMATION
DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

(1) a final action under § 1.113 or

(2) a notice of allowance under § 1.311,

whichever occurs first.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

Date: _____

10/11/07

Donna J. Macedo

(Type or print name of person mailing paper)

(Signature of person mailing paper)

10/03/2007 EEKUBAY1 00000024 071250 10798692

01 FC:1806

180.00 DA

CERTIFICATION OR FEE

2. Accompany this transmittal is

A. ☐ a certification as specified in 37 CFR 1.97 (e)

OR

B. ☒ the fee set forth in 37 CFR 1.17 (p) for submission of an information disclosure statement under § 1.97 (c). (\$180.00).

FEE PAYMENT

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17 (p) for submission of an information disclosure statement under § 1.97 (c). (\$180.00).

Fee due \$ 180.00

METHOD OF PAYMENT OF FEE

4.

☐ attached is check in the sum of \$ _____

☒ charge Account No. 07-1250 the sum of \$ 180.00

A duplicate of this request is attached.

If any additional fees are due, please charge Account No. 07-1250.

Reg. No. 27,043

Tel. No.: (650) 522-5709



SIGNATURE OF ATTORNEY

Max D. Hensley

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (modified)

List of Sections Forming Part of This Information Disclosure Statement.

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO – SB08A/SB08B
3. ☐ Identification of Prior Application in Which Listed Information Was Already Cited.

CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose. To the extent that this submission includes an International Search Report, such Report is submitted to facilitate the Examiner's analysis of the references and not out of any belief that the International Searching Authority's construction of the relevance of the references has any bearing under United States Law.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97 (g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

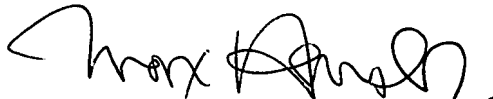
This application relies, under 35 U.S.C. 120, at least on the earlier filing dates of prior applications:

Serial No. _____, filed on _____

Copies of references are not supplied to the extent that they are found in the file history of the prior application(s). Copies of references that were not supplied in the prior application(s), if any, accompany this paper.

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SIGNATURE OF ATTORNEY

Max Hensley

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